



#14/D
(N5)
DMT
8-20-03

PATENT

In re the Application of:
M. Clark DALE *et al.*

Group Art Unit: 1651

Application No.: 10/056,063

Examiner: Herbert J. Lilling

Filed: January 28, 2002

Attorney Dkt. No.: P66143US1

For: A HIGH SPEED, CONSECUTIVE BATCH OR CONTINUOUS, LOW EFFLUENT
PROCESS FOR THE PRODUCTION OF ETHANOL FROM MOLASSES,
STARCHES, OR SUGARS

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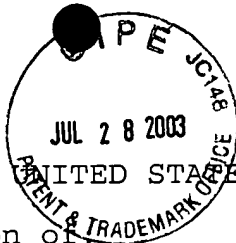
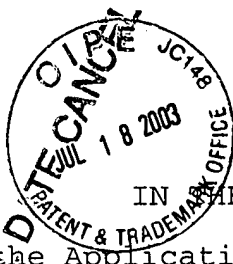
AMENDMENT UNDER RULE 1.116

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Office Action (Paper No. 12) of May 14, 2003, kindly amend the above-identified application by cancelling claims 4 to 17 without prejudice or disclaimer. Applicants retain the right to reinstate these claims upon the allowance of one or more claims to the microorganism and/or to present such claims in a continuing application.

Insert the following paragraph on page 6 of the specification immediately preceding line 11:
“*Summary of the Invention*”: - - Strain BPSE - 15 was deposited at ARS Patent Culture Collection “NRRL” under the Budapest Treaty on October 25, 2002 and accorded Accession No. NRRL Y-30630. The depository is the National Center for Agricultural Utilization Research, Agricultural Research Service, USDA, 1815 North University Street, Peoria, Illinois 61604-3999 U.S.A. - -



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Sir:

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☒ Transmitted herewith is an Amendment Under Rule 116☐ Transmitted herewith is a Request for Extension of Time

The fee has been calculated as shown below:

| Claims | Highest | Present | Small Entity | Other Than A Small |
|---------------------------|------------|---------|--------------|--------------------|
| Remaining Number | Extra | | Entity | Entity |
| Amendment | Previously | | Rate Addit. | Rate Addit. |
| | Paid For | | Fee | Fee |
| Total 3 | 17 = | 0 | x 0 = \$ | x 22 = \$ |
| Indep. 1 | 1 = | 0 | x 0 = \$ | x 76 = \$ |
| First Presentation of | | | | |
| Multiple Dependent Claims | | | +120 = \$0 | + 240 = \$ |
| Total Additional Fee | | | \$ | \$ |

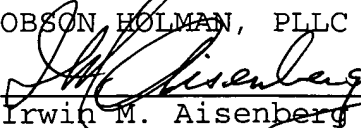
Please charge Deposit Account No. 06-1358 in the amount of \$ _____.
A duplicate of this sheet is attached.

☒ A check in the amount of \$ 180.00 is attached.

☒ If a Petition for Extension of Time is necessary and the Petition and/or the check is not enclosed, this will act as the Petition and applicant herewith petitions the Commissioner to extend the time for response and charge any fees necessary under 37 CFR 1.17(a)-(d) to Deposit Account No. 06-1358. The Commissioner is also authorized to charge payment of any other additional fees associated with this communication or credit any overpayment to Deposit Account No. 06-1358. A duplicate copy of this sheet is attached.

Atty. Dkt. P66143US1
Dated: July 28, 2003
400 Seventh Street, N.W.
Washington, D.C. 20004-2201
202/638-6666

JACOBSON HOLMAN, PLLC

By: 
Irwin M. Aisenberg
Reg. No. 19,007